



Order Filed on August 16, 2020
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

MAYNARD, O'CONNOR, SMITH &
CATALINOTTO, LLP

By: Justin W. Gray, Esq.

Attorneys for Creditor, Benedicto Sorto

6 Tower Place

Albany, New York 12203

Telephone: (518) 465-3553

Facsimile: (518) 465-5845

E-mail: gray@moscllp.com

In Re:

NEW ENGLAND MOTOR FREIGHT, INC., et
al.,

Debtors

Case No.: 19-12809 (JKS)

Chapter: 11

Judge: John K. Sherwood

**ORDER DEEMING FILED PROOF OF CLAIM OF BENEDICT SORTO TO BE
TIMELY OR GRANTING LEAVE TO FILE A LATE PROOF OF CLAIM**

The relief set forth on the following page, numbered two (2), is hereby **ORDERED**.

DATED: August 16, 2020

A handwritten signature in black ink, appearing to read "J K Sherwood", is written over a horizontal line.

Honorable John K. Sherwood
United States Bankruptcy Court

Upon the reading of the Notice of Motion, declarations of Justin W. Gray, Esq., Joseph Walsh, Esq. and Benedicto Sorto (“Creditor” or “Sorto”), in support of the Motion for an Order deeming Creditor’s filed Proof of Claim to be timely, *nunc pro tunc*, as of the applicable bar date, or granting leave to Creditor to file a late Proof of Claim [Docket No. 1268] (the “Motion”), in the above-referenced matter, and this matter having been considered on the papers; and there being no opposition filed thereto;

NOW on motion of MAYNARD, O’CONNOR, SMITH & CATALINOTTO, LLP, attorneys for Creditor, it is hereby

ORDERED, that the Motion is GRANTED as follows:

1. Creditor’s Proof of Claim, No. 1257, is hereby deemed to be timely, *nunc pro tunc*, as of the proof of claim bar date for unsecured creditors.

2. For the avoidance of any doubt, Sorto shall not be entitled to receive any recovery from the Debtors’ estates (or the Liquidating Trust), but may pursue a potential recovery from any applicable insurance policies or surety bonds in accordance with the Debtors’ chapter 11 plan (the “Plan”) [Docket No. 1023] and the Auto Liability Claims Protocol approved by the Plan.¹

¹ Capitalized terms used but not otherwise defined herein shall have the meanings ascribed to them in the Plan.